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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiffs,

vs.

ROBERT ROSS HAZARD, an individual, dba  
HAZARD CONCRETE CONSTRUCTION,

Defendant.

Case No.: 3:16-cv-01288-JSC

**CASE MANAGEMENT STATEMENT;  
~~[PROPOSED]~~ ORDER THEREON**

**Date: June 16, 2016**

**Time: 1:30 PM**

**Location: Ctrm. F, 15<sup>th</sup> Floor**

**Phillip Burton Federal Bldg.**

**Before: Hon. Jacqueline Scott Corley**

Plaintiffs Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern California; Board of Trustees of the Laborers Vacation-Holiday Trust Fund for Northern California; Board of Trustees for the Laborers Pension Trust Fund of Northern California and Board of Trustees of the Laborers Training and Retraining Trust Fund for Northern California (“plaintiffs”) provide this abbreviated case management statement.

1 On March 16, 2016, plaintiffs filed their Complaint for Breach of Collective Bargaining  
2 Agreement, to Recover Unpaid Trust Fund Contributions and For a Mandatory Injunction  
3 (“Complaint”) against defendant Robert Ross Hazard, an individual, dba Hazard Concrete  
4 Construction (“defendant”). [See Document 1.] Defendant is not represented by counsel.  
5 Plaintiffs’ claim against defendant is for delinquent union trust fund contributions due and  
6 owing to defendant’s covered employees, approximately \$17,832.96 in underlying  
7 contributions, plus liquidated damages and interest, for a total, to date, of approximately  
8 \$25,834.35.

9 Defendant was personally served with the Complaint on April 13, 2016. [See  
10 Document 7.] Since the filing of the Complaint, defendant has been in contact with plaintiffs in  
11 an attempt to pay the outstanding balance due. Defendant, a subcontractor on various  
12 construction projects, has informed plaintiffs he is owed retention monies on a completed  
13 project by a general contractor, of approximately \$21,159.82, which defendant intends to have  
14 paid directly to plaintiffs. Defendant has further advised plaintiffs that he is attempting to  
15 secure additional monies from another general contractor. If successful, defendant will have  
16 those additional monies paid to plaintiffs, as well. In addition, defendant has been able to  
17 secure additional funds to pay off the outstanding balance due.

18 Defendant has not filed a responsive pleading. Plaintiffs have agreed with defendant to  
19 allow defendant additional time to secure the necessary funds to pay the outstanding balance  
20 due. To date, plaintiffs believe defendant has made a good faith effort to secure the necessary  
21 funds to pay the outstanding balance due. Plaintiffs and defendant hope to resolve this matter  
22 within the next sixty (60) days without further need for court intervention.

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1 Based on the above, plaintiffs respectfully request that this Court continue the case  
2 management conference for sixty (60) days to allow time for the various payments to come  
3 through, as payment would result in all damages claimed by plaintiffs being paid and dismissal  
4 of the lawsuit.

5 DATED: June 9, 2016

BULLIVANT HOUSER BAILEY PC

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8 By /s/ Heather J. Zacharia  
Heather J. Zacharia

9 Attorneys for Plaintiffs  
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**ORDER**

Based on Plaintiffs' request to continue the case management conference and good cause appearing,

IT IS HEREBY ORDERED that the June 16, 2016, case management conference be continued to August 18, 2016, at 1:30 p.m. in Courtroom F, 15th Floor, 450 Golden Gate Avenue, San Francisco, California 94102. An updated case management conference statement shall be filed no later than seven (7) days prior to the continued case management conference.

DATED: June 9, 2016

By   
HON. JACQUELINE SCOTT CORLEY  
U.S. DISTRICT COURT MAGISTRATE JUDGE

4830-2198-2258.1